

FILED
U.S. DISTRICT COURT

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH

NORTHERN DIVISION

DISTRICT OF UTAH

BY: DEPUTY CLERK

Cody Robert Judy,

Plaintiff,

vs.

Barack Hussein Obama, Democratic Nation
Committee, Organization for Action,

Defendants.

NOTICE: MOTION FOR ENTRY OF
DEFAULT

Case No. 1:14 cv 93 TS

Plaintiff has filed a motion for entry of default in the above entitled matter. The only proof of service filed with the court is a partial return of summons which does not include a copy of the summons or any indication of exactly what documents were served, i.e the complaint. Without the inclusion of the summons page, the clerk cannot determine that proper notice was given to the defendants.


Further, there is no indication on the court's record to establish why service on Lauren Littlefield is valid service upon any of the defendants. The plaintiff is directed to review Rule 4 of the Federal Rules of Civil Procedure to determine the proper party for service. Personal Service on individuals cannot be made by substitute service at a place of business. Service upon

corporations requires proof that the individual served is proper under Rule 4 (h)¹ of the Federal Rules of Civil Procedure

Absent sufficient documentation of service, the clerk will not issue a default certificate for the individual defendant nor the two corporate defendants.

DATED this 8th day of September, 2014.

D. MARK JONES, CLERK

By: 
Louise S. York, Chief Deputy

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(h) Serving a Corporation, Partnership, or Association. Unless federal law provides otherwise or the defendant's waiver has been filed, a domestic or foreign corporation, or a partnership or other unincorporated association that is subject to suit under a common name, must be served:

(1) in a judicial district of the United States:

(A) in the manner prescribed by Rule 4(e)(1) for serving an individual; or

(B) by delivering a copy of the summons and of the complaint to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process and—if the agent is one authorized by statute and the statute so requires—by also mailing a copy of each to the defendant